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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In re:

BED BATH & BEYOND INC., *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 23-13359 (VFP)

(Jointly Administered)

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR HEARING ON  
SEPTEMBER 12, 2023 AT 2:30 P.M. (ET)**

<sup>1</sup> The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.'s principal place of business and the Debtors' service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

## **I. MATTERS GOING FORWARD**

### **1. Confirmation Hearing related to the Amended Joint Chapter 11 Plan of Bed Bath & Beyond Inc. and its Debtor Affiliates**

#### **A. Related Documents**

- Amended Joint Chapter 11 Plan of Bed Bath & Beyond Inc. and its Debtor Affiliates [Docket No 1712]
- Amended Disclosure Statement Relating to the Amended Joint Chapter 11 Plan of Bed Bath & Beyond Inc. and its Debtor Affiliates [Docket No. 1713]
- Order (I) (A) Conditionally Approving the Adequacy of the Disclosure Statement, (B) Approving the Solicitation and Notice Procedures with respect to Confirmation of the Plan, (C) Approving the forms of Ballots and Notices in Connection Therewith, (D) Scheduling a Combined Disclosure Statement Approval and Plan Confirmation Hearing and Certain Dates and Deadlines with respect Thereto, and (E) Granting Related Relief, and (II) (A) Extending the Debtors' Exclusive Periods to File a Chapter 11 Plan and Solicit Acceptances Thereof Pursuant to Section 1121 of the Bankruptcy Code And (B) Granting Related Relief [Docket No. 1716]
- Notice of Filing of Plan Supplement [Docket No. 2133]
- Debtors' Memorandum of Law in Support of (I) Approval of the Disclosure Statement on a Final Basis and (II) Confirmation of the Joint Chapter 11 Plan of Bed Bath & Beyond Inc. and its Debtor Affiliates [Docket No. 2134]
- Declaration of Holly Etlin in Support of (I) Final Approval of the Disclosure Statement and (II) Confirmation of the Amended Joint Chapter 11 Plan of Bed Bath & Beyond Inc. and its Debtor Affiliates [Docket No. 2139]
- Declaration of Alex Orchowski of Kroll Restructuring Administration LLC Regarding the Solicitation of Votes and Tabulation of Ballots Cast on the Amended Joint Chapter 11 Plan of Bed Bath & Beyond Inc. and its Debtor Affiliates [Docket No. 2140]

#### **B. Responses/Objections**

- Notice of Bed Bath and Beyond Common Stock Equity Interest Holders' Motion, Pursuant to 11 U.S.C. § 105(a), Fed. R. Civ. P. 60(b), and Fed. R. Bankr. P. 9024, for an Order Vacating the Order (I) (A) Conditionally Approving the Adequacy of the Disclosure Statement,

(B) Approving the Solicitation and Notice Procedures with respect to Confirmation of the Plan, (C) Approving the forms of Ballots and Notices in Connection Therewith, (D) Scheduling a Combined Disclosure Statement Approval and Plan Confirmation Hearing and Certain Dates and Deadlines with respect Thereto, and (E) Granting Related Relief [Docket No. 2068]<sup>2</sup>

- Limited Objection of the U.S. Securities and Exchange Commission to Final Approval of the Debtors' Disclosure Statement and Confirmation of the Chapter 11 Plan of Reorganization of Bed Bath and Beyond and its Debtor Affiliates [Docket No 2086]
- Objection of 200-220 West 26 LLC to Final Approval of Disclosure Statement and to Confirmation of Amended Joint Chapter 11 Plan [Docket No. 2090]
- The Safety National Parties' Limited Objection to Debtors' Joint Chapter 11 Plan of Bed Bath & Beyond Inc. and its Debtor Affiliates [Docket No. 2099]
- MSC Mediterranean Shipping Company SA's (I) Notice of Assertion of Setoff and Recoupment Rights and (II) Limited Objection to Amended Joint Chapter 11 Plan of Bed Bath & Beyond Inc. and its Debtor Affiliates [Docket No. 2100]
- Oracle America, Inc.'s Rights Reservation Regarding Debtors' Amended Joint Chapter 11 Plan of Bed Bath & Beyond, Inc. and its Debtor Affiliates [Docket No. 2109]
- City of Philadelphia's Limited Objection to Confirmation of the Plan [Docket No. 2111]
- Joint Limited Objection of the Texas Taxing Authorities to the Amended Joint Chapter 11 Plan of Bed Bath & Beyond Inc. and its Debtor Affiliates [Docket No. 2112]
- Limited Objection and Reservation of Rights of Google LLC to Amended Joint Chapter 11 Plan of Bed Bath & Beyond Inc. and its Debtor Affiliates [Docket No. 2113]

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<sup>2</sup> Pursuant to the *Order Regarding Application to Shorten Time Period for Notice, Set Hearing and Limit Notice* [Docket No. 2084] this motion will be treated as an objection to final approval of the Disclosure Statement [Docket No. 1713] and confirmation of the Plan [Docket No. 1712].

- Limited Objection of Certain Landlords to Amended Joint Chapter 11 Plan of Bed Bath & Beyond Inc. and its Debtor Affiliates [Docket No. 2120]
- Limited Objection of the United States Trustee to the Amended Joint Chapter 11 Plan of Bed Bath & Beyond Inc. and its Debtor Affiliates [Docket No. 2123]
- Objection of the Chubb Companies to Amended Joint Chapter 11 Plan of Bed Bath & Beyond Inc. and its Debtor Affiliates [Docket No. 2129]

**Status: This matter is going forward with permission of the Court.**

2. Notice of Motion for Relief from Automatic Stay and Brief in Support of Motion for Automatic Relief on Behalf of Phyllis Eichner [Docket No. 1925]

A. Responses/Objections

- Reservation of Rights of Safety National Casualty Corporation as to Motion for Relief from Automatic Stay on Behalf of Phyllis Eichner [Docket No. 2122]
- Debtors' Objection to the Motion of Phyllis Eichner to Terminate the Automatic Stay [Docket No. 2126]

**Status: The Debtors requested a modest adjournment of this matter to a date following the Combined Hearing. Movant declined the Debtors' request for an adjournment and did not respond to the Debtors' attempt to resolve the request. This matter is going forward with permission of the Court with respect to the Debtors' adjournment request and, if granted, will be adjourned to a date to be set by the Court.**

## **II. RESOLVED AND ADJOURNED MATTERS**

1. Debtors' Motion for Entry of an Order (I) Authorizing (A) Rejection of Certain Unexpired Leases and (B) Abandonment of Any Personal Property, Effective as of the Rejection Date and (III) Granting Related Relief [Docket No. 1613]

A. Related Documents

- Application for Order Shortening Time [Docket No. 1614]
- Order Shortening Time Period for Notice [Docket No. 1676]
- Order (I) Authorizing (A) Rejection of Certain Unexpired Leases and (B) Abandonment of any Personal Property, Effective as of the Rejection Date and (II) Granting Related Relief [Docket No. 1919]

- Debtors' Reply in Support of Debtors' Motion for Entry of an Order (I) Authorizing (A) Rejection of Certain Unexpired Leases and (B) Abandonment of Any Personal Property, Effective as of the Rejection Date and (III) Granting Related Relief [Docket No. 2066]
- Stipulation Between Debtor, Oak Street and Nordstrom, Inc. with Respect to Certain Leases in Addison, Texas [Docket No. 2076]

B. Responses/Objections

- Ikea Property, Inc.'s Objection to the Debt Debtors' Motion for Entry of an Order (I) Authorizing (A) Rejection of Certain Unexpired Leases and (B) Abandonment of Any Personal Property, Effective as of the Rejection Date and (III) Granting Related Relief [Docket No. 1879]
- Objection of Nordstrom, Inc. to Debtors' Motion for Entry of an Order (I) Authorizing (A) Rejection of Certain Unexpired Leases and (B) Abandonment of Any Personal Property, Effective as of the Rejection Date and (III) Granting Related Relief [DKT. 1613] [Docket No. 2146]

**Status: This matter will be further adjourned to a date to be set by the Court solely with respect to the Nordstrom, Inc. lease for the store located at 13900 Dallas Parkway, Addison, TX 75240. This matter is resolved in all other respects.**

*[Remainder of Page Intentional Left Blank]*

Dated: September 11, 2023

*/s/ Michael D. Sirota*

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